

S.163

Introduced by Senator White

Referred to Committee on

Date:

Subject: Health; hospitals; advanced practice registered nurses

Statement of purpose of bill as introduced: This bill proposes to amend statutes relating to hospital licensure and to hospital patients' rights to specify that an advanced practice registered nurse may be the health care professional responsible for a hospital patient's care.

An act relating to the role of advanced practice registered nurses in hospital care

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 18 V.S.A. § 1851 is amended to read:

§ 1851. DEFINITIONS

As used in this subchapter:

(1) "Advanced practice registered nurse" or "APRN" means an individual licensed under 26 V.S.A. chapter 28, subchapter 2.

(2) "Hospital" means a hospital required to be licensed under chapter 43 of this title.

1 ~~(2)~~(3) “Patient” means ~~a person~~ an individual admitted to a hospital on
2 an inpatient basis.

3 (4) “Physician” means an individual licensed under 26 V.S.A. chapter
4 23 or 33.

5 Sec. 2. 18 V.S.A. § 1852 is amended to read:

6 § 1852. PATIENTS’ BILL OF RIGHTS; ADOPTION

7 (a) The General Assembly hereby adopts the “Bill of Rights for Hospital
8 Patients” as follows:

9 (1) The patient has the right to considerate and respectful care at all
10 times and under all circumstances with recognition of ~~his or her~~ the patient’s
11 personal dignity.

12 (2) The patient shall have an attending physician or APRN who is
13 responsible for coordinating a the patient’s care. Physician consultation and
14 support shall be available to an attending APRN at all times in accordance with
15 applicable standards of practice and regulatory requirements.

16 (3) The patient has the right to obtain, from the physician or APRN
17 coordinating ~~his or her~~ the patient’s care, complete and current information
18 concerning diagnosis, treatment, and any known prognosis in terms the patient
19 can reasonably be expected to understand. If the patient consents or if the
20 patient is incompetent or unable to understand, immediate family members or a
21 guardian may also obtain this information. The patient has the right to know

1 by name the attending physician or APRN primarily responsible for
2 coordinating ~~his or her~~ the patient's care.

3 (4) Except in emergencies, the patient has the right to receive from the
4 patient's physician or APRN information necessary to give informed consent
5 prior to the start of any procedure or treatment, or both. Such information for
6 informed consent should include the specific procedure or treatment, or both;
7 the medically significant risks involved; and the probable duration of
8 incapacitation. Where medically significant alternatives for care or treatment
9 exist, or when the patient requests information concerning medical alternatives,
10 the patient has the right to such information. The patient also has the right to
11 know the name of the person responsible for the procedures or treatment, or
12 both.

13 * * *

14 (7) The patient has the right to expect that all communications and
15 records pertaining to ~~his or her~~ the patient's care shall be treated as
16 confidential. Only medical personnel, or individuals under the supervision of
17 medical personnel, directly treating the patient, or those persons monitoring the
18 quality of that treatment, or researching the effectiveness of that treatment,
19 shall have access to the patient's medical records. Others may have access to
20 those records only with the patient's written authorization.

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1 (c) A summary of the hospital's obligations under this section, written in
2 clear language and in easily readable print, shall be distributed to patients upon
3 admission and posted conspicuously at each nurse's station. Such notice shall
4 also indicate that as an alternative or in addition to the hospital's complaint
5 procedures, the patient may directly contact the licensing agency, the Office of
6 Professional Regulation, or the Board of Medical Practice, as applicable. The
7 address and telephone number of the licensing agency, the Office of
8 Professional Regulation, and the Board of Medical Practice shall be included
9 in the notice.

10 Sec. 3. 18 V.S.A. § 1905 is amended to read:

11 § 1905. LICENSE REQUIREMENTS

12 Upon receipt of an application for a license and the license fee, the licensing
13 agency shall issue a license when it determines that the applicant and hospital
14 facilities meet the following minimum standards:

15 * * *

16 (5) All patients admitted to the hospital shall be under the care of a ~~State~~
17 ~~registered and licensed practicing physician as defined by the laws of the State~~
18 ~~of Vermont~~ physician licensed pursuant to 26 V.S.A. chapter 23 or 33 or an
19 advanced practice registered nurse licensed pursuant to 26 V.S.A. chapter 28,
20 subchapter 2. All hospitals shall use the uniform credentialing application
21 form described in subsection 9408a(b) of this title.

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(8) Professional case records shall be compiled for all patients and

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signed by the attending physician or advanced practice registered nurse. These

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records shall be kept on file for a minimum of 10 years.

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Sec. 4. EFFECTIVE DATE

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This act shall take effect on passage.